

Appl. No. 08/944,653
Amdt. Dated : December 16, 2004
Reply to Office Action of November 4, 2004

Docket No. IA00007
Customer No.. 23330

REMARKS

Claims 1-30 remain in the application. The actions taken are in the interest of expediting prosecution and with no intention of surrendering any range of equivalents to which Applicants would otherwise be entitled in view of the prior art. Further, no amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references. No amendment made was related to the statutory requirements of patentability unless expressly stated herein. Reconsideration of this application is respectfully requested.

35 U.S.C. § 103(a)

Claims 1-30 are rejected under 35 U.S.C. § 103(a) as being anticipated by Razavi et al. US. Patent No. 6,370,449, (hereinafter Razavi et al.) in view of Nathanson, U.S. Patent Publication 2002/0150050 (hereinafter Nathanson). This rejection is respectfully traversed. Applicants' independent claims 1, 15 and 28 call for, among other things, a vehicle having an first *active network*, communicatively linked to a vehicle having a second *active network*.

Razavi et al. teaches an automobile having network devices coupled to an in-car network (column 3, lines 30-32). Razavi et al. goes on to teach an in-car network that is built around an on-board compute platform (22) where all components of the in-car network are either directly plugged into the compute platform (22) or coupled to it via an Ethernet connection (Figure 2, and column 6, lines 10-18). In addition, Razavi et al. reinforces that all computing for the in-car network goes through a central computing resource by stating that "compute platform 22 is at the center of in-car sub-network 20." (column 8, lines 21-22).

Razavi et al. does not disclose or teach *a vehicle having an active network*. First of all, Razavi et al. does not disclose or teach an active network. Contrary to Examiner's assertions, an active network is fundamentally different from the network disclosed by Razavi et al. and not merely a packet data network (passive network) as disclosed on in columns 5-6 of Razavi et al.

An active network is a network in which the nodes are programmed to perform custom operations on the messages that pass through the node. An active network does not require or use a central server or computing resource, as each node in the active network passes "smart

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packets" that use a self-describing language that allows information carried within a packet to be operated on by a node in the active network. This is contrasted with the in-car network (20) taught by Razavi et al. that uses a central compute platform (22) to control the in-car network and where there is certainly not multiple simultaneous communication paths between devices.

Secondly, the nodes disclosed in Figure 3 of Razavi et al. (items 20, 24 and 26-29) are not active network elements (that can perform the functions described above) and do not contain device network elements forming a portion of an active network as claimed by Applicants. In fact, these elements (items 20, 24 and 26-29) taught by Razavi et al. are coupled to central compute platform (22) and are "dumb" elements that depend entirely on the central compute platform (22) to communicate with other elements in the in-car network (20) (as shown above). Therefore, there are no multiple simultaneous communication paths between devices within the network taught by Razavi et al. and therefore, no active network or devices with device network elements that form a portion of an active network.

Applicants' respectfully submit that the Examiner's interpretation is not the interpretation given to an "active network" by those skilled in the art. As such, Applicants' are providing, along with this response, a Affidavit under 37 CFR 1.132 affirming by one of the inventors, who is also an expert in the field of computing and networking, that an active network is a network in which the nodes can perform custom operations on the messages that pass through the nodes. An active network does not require a central server or computing resource. Active network nodes are aware of the contents of the messages transported and can participate in the processing and modification of the messages while they travel through the network. Applicants' further submit that the Affidavit under 37 CFR 1.132 further obviates the Razavi reference and its relevance as prior art.

As explained above, Razavi et al. discloses a passive network that is dependent upon a central compute resource. Razavi et al. does not teach or suggest an active network. Since Razavi et al. does not disclose or teach the claimed limitations of a *vehicle comprising an active network*, Razavi et al. cannot anticipate Applicants' claims 1-30. Nathanson does not remedy this deficiency in Razavi et al. Therefore, Applicants' respectfully submit that the rejection is improper and should be withdrawn.

Claims 2-14 depend either directly or indirectly from claim 1 and are believed to be allowable over the relied on references for at least the same reasons as claim 1.

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Claims 16-27 depend either directly or indirectly from claim 15 and are believed to be allowable over the relied on reference for at least the same reasons as claim 15.

Claims 29-30 depend either directly or indirectly from claim 28 and are believed to be allowable over the relied on reference for at least the same reasons as claim 28.

Prior Art Not Relied Upon

The references cited but not relied upon are not believed to anticipate or make obvious applicants' invention.

Summary

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

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Accordingly, this application is believed to be in proper form for allowance and an early notice of allowance is respectfully requested.

Please charge any fees associated herewith, including extension of time fees, to 502117, Motorola, Inc.


Respectfully submitted,

SEND CORRESPONDENCE TO:

Motorola, Inc.
Law Department

Customer Number: 23330

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